

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 407, "An Act providing
for proof of the execution of attested
or witnessed instruments or writings
which are not required by law to be
attested or witnessed, and declaring
an emergency,"

Has carefully compared same, and
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 875, "An Act to be known
as Articles 1656-a and 1656-b, apply-
ing to counties having a population of
one hundred and ninety thousand
(190,000), or more, according to the
last preceding or any future Federal
Census; prescribing the authority of
the county auditor with reference to
the system, forms, and reports to be
used in connection with the receipt
and disbursement of all county rev-
enues, funds, fees, and moneys re-
ceived and disbursed by county and
precinct officers belonging to the coun-
ty, its subdivisions, and precincts, in-
cluding moneys collected and dis-
bursed by, or on hand with, such offi-
cers for the benefit of individuals,
firms, or corporations; prescribing the
time, mode, and manner of making
monthly, annual, or other reports to
the auditor; authorizing the auditor
to verify the cash on hand in support
of all official reports of such officers
relating to such receipts, disburse-
ments, and balances; permitting the
adoption of regulations to insure the
speedy and proper collection and
checking of, and accounting for, all
such moneys; authorizing the county
auditor to require all funds to be
placed in the county depository with-
out change of ownership, and prescrib-
ing regulations; requiring the district
clerk and the county clerk to make
sworn reports of trust funds to the
county auditor of receipts, disburse-
ments, and balances; requiring the ap-

proval of the judge of the court in
which such funds were deposited on all
disbursements of such trust funds, and
requiring the countersignature of the
county auditor on all checks issued for
the disbursement of trust funds; pro-
viding for the repeal of all laws in
conflict herewith; providing that if
any part of this Act shall be declared
unconstitutional, it shall not affect the
validity of the remainder; and declar-
ing an emergency."

Has carefully compared same, and
finds it correctly enrolled.

MORRISON, Vice-Chairman.

FIFTY-FIFTH DAY

(Friday, April 28, 1933)

The House met at 9:30 o'clock a. m.,
pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the follow-
ing Members were present:

Mr. Speaker.	Ford.
Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Golson.
Alsup.	Good.
Anderson	Goodman.
of Bexar.	Graves.
Anderson	Greathouse.
of Johnson.	Griffith.
Baker.	Haag.
Barrett.	Hankamer.
Barron.	Harman.
Beck.	Harris.
Bedford.	Hartzog.
Bradley.	Head.
Butler.	Hester.
Calvert.	Hicks.
Camp.	Hill of Brazoria.
Canon.	Hill of Webb.
Cathey.	Hodges.
Caven.	Holekamp.
Chastain.	Holland.
Clayton.	Holloway.
Colson.	Hoskins.
Cowley.	Huddleston.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Hyder.
Dean.	Jackson.
Devall.	James.
Dunlap.	Jefferson.
Duvall.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Fisher.	Kayton.

Kyle of Hays.	Reed of Bowie.
Kyle of Palo Pinto.	Reed of Dallas.
Laird.	Riddle.
Latham.	Roberts.
Lemens.	Rogers of Hunt.
Leonard.	Rogers
Lindsey.	of Ochiltree.
Long.	Rollins.
Lotief.	Ross.
Mackay.	Russell.
Magee.	Savage.
Mathis.	Scarborough.
McClain.	Scott.
McCullough.	Shannon.
McDougald.	Shults.
McGregor.	Smith.
McKee.	Stanfield.
Merritt.	Steward.
Metcalfe.	Stinson.
Mitcham.	Stovall.
Moffett.	Tarwater.
Moore.	Tennyson.
Morrison.	Thomas.
Morse.	Tillery.
Munson.	Townsend.
Nicholson.	Turlington.
Palmer.	Van Zandt.
Parkhouse.	Vaughan.
Patterson.	Wagstaff.
Pavlica.	Walker.
Pope.	Wells.
Puryear.	West.
Ramsey.	Winningham.
Ratliff.	Wood.
Ray.	Young.

Absent

Harrison. Weinert.

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Coombes.	Reader.
Dunagan.	Renfro.
	Sullivant.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Bourne for today, on motion of Mr. Mitcham.

Mr. Colson for today, on motion of Mr. Russell.

Mr. Renfro for today and the balance of the week, on motion of Mr. Ford.

Mr. Reader for today, on motion of Mr. Leonard.

Mr. Sullivant for today, on motion of Mr. Lemens.

Mr. Coombs for today, on motion of Mr. Good.

The following Members were granted leaves of absence on account of illness:

Mr. Dunagan for today, on motion of Mr. Good.

Mr. Johnson of Dimmit for today and indefinitely, on motion of Mr. Ford.

Mr. Burns for today, on motion of Mr. Daniel.

HOUSE BILL ON FIRST READING

Mr. Laird moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—103

Adamson.	Hill of Brazoria.
Aikin.	Hill of Webb.
Alsup.	Hodges.
Anderson	Holland.
of Bexar.	Holloway.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Beck.	Hunt.
Bradley.	Hyder.
Camp.	Jackson.
Canon.	James.
Cathey.	Jefferson.
Cowley.	Jones of Atascosa.
Crossley.	Jones of Runnels.
Dean.	Jones of Shelby.
Devall.	Kayton.
Dwyer.	Kyle of Hays.
Engelhard.	Kyle of Palo Pinto.
Fain.	Laird.
Few.	Lemens.
Fisher.	Leonard.
Ford.	Lindsey.
Fuchs.	Lotief.
Glass.	Mackay.
Golson.	Magee.
Good.	Mathis.
Graves.	McCullough.
Greathouse.	McDougald.
Griffith.	McKee.
Haag.	Merritt.
Hankamer.	Metcalfe.
Harman.	Mitcham.
Harris.	Moffett.
Hartzog.	Morrison.
Hester.	Munson.
Hicks.	Nicholson.

Palmer.	Savage.
Pavlica.	Scarborough.
Pope.	Shults.
Purveyer.	Smith.
Ramsey.	Stanfield.
Ratliff.	Steward.
Ray.	Stinson.
Reed of Bowie.	Stovall.
Reed of Dallas.	Tillery.
Riddle.	Townsend.
Roberts.	Vaughan.
Rogers of Hunt.	Wagstaff.
Rogers	Walker.
of Ochiltree.	Wells.
Rollins.	Winningham.
Ross.	Wood.

Absent

Alexander.	Latham.
Barrett.	Long.
Barron.	McClain.
Bedford.	McGregor.
Butler.	Moore.
Calvert.	Morse.
Caven.	Parkhouse.
Chastain.	Patterson.
Clayton.	Russell.
Daniel.	Scott.
Davidson.	Shannon.
Dunlap.	Tarwater.
Duvall.	Tennyson.
Goodman.	Thomas.
Harrison.	Turlington.
Head.	Van Zandt.
Holekamp.	Weinert.
Johnson	West.
of Anderson.	Young.

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Laird:

H. B. No. 908, A bill to be entitled "An Act providing that the Comptroller of Public Accounts shall not issue any warrant for the payment of the Available School Funds or Rural Aid or Vocational Education Funds, to or for the benefit of any school district, or city, or town which has assumed the control of its public schools, when the interest and/or principal on any bonds, owed by such school district, and/or city, or town,

belonging to the Permanent School Fund, remain unpaid for a period of two years, and providing that such warrants shall not issue when any such school district, and/or city, or town prefers the claim of any other bondholder to the claims of the State Permanent School Funds; providing that no default shall be deemed to exist if proper refunding bonds have been approved by the State Board of Education, and declaring an emergency."

Referred to Committee on Education.

HOUSE BILL NO. 891 ON SECOND READING

Mr. Camp asked unanimous consent of the House to take up, for consideration at this time, House Bill No. 891.

There was no objection offered, and it was so ordered.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 891, A bill to be entitled "An Act providing for the payment by the Secretary of State for the printing of constitutional amendments submitted by the Forty-second Legislature, out of the moneys appropriated by the Forty-second Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 891 ON THIRD READING

Mr. Camp moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 891 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson.	Camp.
Aikin.	Canon.
Alexander.	Cathey.
Anderson	Crossley.
of Bexar.	Dean.
Anderson	Devall.
of Johnson.	Dunlap.
Baker.	Dwyer.
Barrett.	Engelhard.
Beck.	Fain.
Bradley.	Few.

Fisher.	McDougald.
Ford.	McKee.
Fuchs.	Merritt.
Glass.	Metcalfe.
Golson.	Mitcham.
Good.	Moffett.
Graves.	Morrison.
Greathouse.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Hankamer.	Palmer.
Harman.	Parkhouse.
Harris.	Pavlica.
Hartzog.	Pope.
Hester.	Puryear.
Hicks.	Ramsey.
Hill of Brazoria.	Ratliff.
Hill of Webb.	Ray.
Hodges.	Reed of Bowie.
Holland.	Reed of Dallas.
Holloway.	Riddle.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hunt.	of Ochiltree.
Hyder.	Rollins.
Jackson.	Ross.
James.	Russell.
Jefferson.	Savage.
Johnson	Scarborough.
of Anderson.	Shults.
Jones of Runnels.	Smith.
Jones of Shelby.	Stanfield.
Kayton.	Steward.
Kyle of Hays.	Stinson.
Kyle of Palo Pinto.	Stovall.
Lemens.	Tarwater.
Leonard.	Thomas.
Lindsey.	Tillery.
Long.	Townsend.
Lotief.	Vaughan.
Mackay.	Wagstaff.
Mathis.	Wells.
McCullough.	Winningham.

Absent

Alsup.	Laird.
Barron.	Latham.
Bedford.	Magee.
Butler.	McClain.
Calvert.	McGregor.
Caven.	Moore.
Chastain.	Patterson.
Clayton.	Scott.
Cowley.	Shannon.
Daniel.	Tennyson.
Davidson.	Turlington.
Duvall.	Van Zandt.
Goodman.	Walker.
Harrison.	Weinert.
Head.	West.
Holekamp.	Wood.
Jones of Atascosa.	Young.

Absent—Excused

Bourne.	Burns.
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Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 891 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Lemens.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Long.
Barrett.	Lotief.
Barron.	Mackay.
Beck.	McCullough.
Bradley.	McDougald.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Metcalfe.
Crossley.	Mitcham.
Dean.	Moffett.
Devall.	Morrison.
Dunlap.	Morse.
Dwyer.	Munson.
Engelhard.	Nicholson.
Fain.	Palmer.
Few.	Parkhouse.
Fisher.	Pavlica.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Ray.
Good.	Reed of Bowie.
Graves.	Reed of Dallas.
Griffith.	Roberts.
Haag.	Rogers of Hunt.
Hankamer.	Rogers
Harman.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Ross.
Hester.	Russell.
Hicks.	Savage.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Shults.
Hodges.	Smith.
Holland.	Stanfield.
Holloway.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Tarwater.
Hunt.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Vaughan.
Jefferson.	Wagstaff.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Runnels.	Wood.

Absent

Alsup.	Latham.
Bedford.	Magee.
Butler.	Mathis.
Calvert.	McClain.
Caven.	McGregor.
Chastain.	Moore.
Clayton.	Patterson.
Cowley.	Pope.
Daniel.	Riddle.
Davidson.	Scott.
Duvall.	Shannon.
Goodman.	Tennyson.
Greathouse.	Turlington.
Harrison.	Van Zandt.
Head.	Walker.
Holekamp.	Weinert.
Jones of Atascosa.	West.
Laird.	Young.

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

HOUSE BILL NO. 897 ON SECOND
READING

Mr. Kayton asked unanimous consent of the House to call from the table, for consideration at this time, House Bill No. 897, which bill had heretofore been laid on the table subject to call.

There was no objection offered, and it was so ordered.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 897, A bill to be entitled "An Act to create the Texas Rehabilitation and Relief Commission, for the purpose of administering Federal and/or State funds for employment, rehabilitation, and/or relief of the unemployed; providing Commission shall cease to exist two (2) years after effective date of Act; defining duties of Commission; providing for appointment of members of Commission, director of Commission, and employes; providing for establishment of county departments of rehabilitation and relief, their powers, and organization; making an appropriation, and declaring an emergency."

The bill was read second time.

Mr. Kayton offered the following committee amendments to the bill:

(1)

Amend House Bill No. 897, page 2, Section 5, by striking out all of Section 5, and substituting in lieu thereof the following:

"Section 5. There is hereby appropriated, out of the General Fund of the State of Texas, not otherwise appropriated, the sum of one hundred thousand dollars (\$100,000), or so much thereof as is necessary, to be expended in the twelve (12) months' period immediately following the passage of this Act, and a sum of one hundred thousand dollars (\$100,000), or so much thereof as is necessary, for the second twelve (12) months' period of the life of this Act, to be used in the defraying of the necessary costs of the Commission in carrying out the provisions of this Act."

(2)

Amend House Bill No. 897, page 1, Section 3, by deleting all of said Section, and substituting in lieu thereof the following:

"Section 3. The Texas Rehabilitation and Relief Commission, of which the Governor shall be ex-officio Chairman, shall be composed of seven (7) members, who shall be appointed by the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives. The members of said Commission shall serve without pay. The Governor shall appoint a director of said Commission, whose salary shall be fixed by the Commission, at a sum of not to exceed five thousand dollars (\$5,000) per year. Subject to the approval of the Chairman of the Commission, the director shall appoint such employes as are necessary to carry out the provisions of this Act, at salaries not to exceed those being paid by the State of Texas to employes performing similar duties in the State departments, and in no instance to be in excess of the following scale:

"Assistant directors, three hundred dollars (\$300) per month;

"Chief auditor and accountant, two hundred fifty dollars (\$250) per month;

"Inspectors and/or field agents, on a basis of one hundred seventy-five dollars (\$175) per month, none to exceed two hundred dollars (\$200) per month;

"Bookkeeper and/or accountant, one hundred fifty dollars (\$150) per month;

"Stenographers and clerks, on a basis of one hundred dollars (\$100) per month, none to exceed one hundred ten dollars (\$110) per month."

The amendments were severally adopted.

Mr. Kayton offered the following amendment, by Mr. Renfro, to the bill:

Amend House Bill No. 897, page 2, Section 4, line 11, by striking out the word "Governor," and inserting in lieu thereof the words "Texas Rehabilitation and Relief Commission."

The amendment was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 897 by adding before the word "for," in line 11, page 2, of the printed bill, the following: "With the approval of the commissioners court of the county."

Mr. Metcalfe moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment by Mr. Leonard, it was adopted.

Mr. Camp offered the following amendment to the bill:

Amend House Bill No. 897 by providing for the salary of the director of the Commission to be \$4,000 per year.

The amendment was adopted.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 897, Section 1, line 26, by inserting, after the word "Act," the following: "or at such earlier time, as in the opinion of the Governor of the State of Texas, such Commission may be dispensed with."

The amendment was adopted.

House Bill No. 897 was then passed to engrossment.

HOUSE BILL NO. 897 ON THIRD READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 897 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94

Adamson.	Latham.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson	Lotief.
of Bexar.	Mackay.
Anderson	Magee.
of Johnson.	Mathis.
Baker.	McClain.
Barrett:	McKee.
Beck.	Metcalfe.
Bedford.	Moffett.
Bradley.	Moore.
Calvert.	Morrison.
Cathey.	Morse.
Chastain.	Nicholson.
Clayton.	Palmer.
Daniel.	Parkhouse.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ramsey.
Dunlap.	Ratliff.
Dwyer.	Ray.
Few.	Reed of Bowie.
Ford.	Roberts.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Harman.	Scott.
Harris.	Shults.
Hartzog.	Smith.
Hester.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holloway.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Jackson.	Tillery.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Wells.
Kyle of Palo Pinto.	Wood.

Nays—13

Aikin.	Kyle of Hays.
Camp.	Munson.
Canon.	Reed of Dallas.
Fain.	Riddle.
Fisher.	Rogers of Hunt.
Hicks.	Vaughan.
Hunt.	

Present—Not Voting

Winningham.

Absent

Barron.	James.
Butler.	Jefferson.
Caven.	Laird.
Cowley.	Lemens.
Crossley.	Long.
Duvall.	McCullough.
Engelhard.	McDougald.
Good.	McGregor.
Greathouse.	Merritt.
Hankamer.	Mitcham.
Harrison.	Patterson.
Head.	Pope.
Hill of Webb.	Shannon.
Holland.	Weinert.
Hoskins.	West.
Hyder.	Young.

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

The Speaker then laid House Bill No. 897 before the House on its third reading and final passage.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 897 was then passed by the following vote:

Yeas—108

Adamson.	Golson.
Alexander.	Goodman.
Alsup.	Graves.
Anderson	Griffith.
of Bexar.	Haag.
Anderson	Hankamer.
of Johnson.	Harman.
Baker.	Harris.
Barrett.	Hester.
Beck.	Hill of Brazoria.
Bedford.	Hodges.
Bradley.	Holekamp.
Calvert.	Holland.
Camp.	Holloway.
Cathey.	Huddleston.
Chastain.	Hughes.
Clayton.	Hunt.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Devall.	Johnson
Dunlap.	of Anderson.
Dwyer.	Jones of Atascosa.
Engelhard.	Jones of Runnels.
Fain.	Jones of Shelby.
Few.	Kayton.
Ford.	Kyle of Palo Pinto.
Fuchs.	Laird.
Glass.	Latham.

Leonard.	Reed of Dallas.
Lindsey.	Roberts.
Lotief.	Rogers of Hunt.
Mackay.	Rogers of Ochiltree.
Magee.	Rollins.
Mathis.	Ross.
McClain.	Russell.
McDougald.	Savage.
McKee.	Scarborough.
Merritt.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Stovall.
Morse.	Tarwater.
Munson.	Tennyson.
Nicholson.	Tillery.
Palmer.	Townsend.
Parkhouse.	Turlington.
Pavlica.	Van Zandt.
Pope.	Wagstaff.
Purveyer.	Walker.
Ramsey.	Wells.
Ratliff.	Wood.
Ray.	Young.
Reed of Bowie.	

Nays—6

Aikin.	Kyle of Hays.
Canon.	Scott.
Hicks.	Vaughan.

Present—Not Voting

Fisher.	Winningham.
Riddle.	

Absent

Barron.	Hoskins.
Butler.	Hyder.
Caven.	Lemens.
Cowley.	Long.
Crossley.	McCullough.
Duvall.	McGregor.
Good.	Patterson.
Greathouse.	Shannon.
Harrison.	Thomas.
Hartzog.	Weinert.
Head.	West.
Hill of Webb.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 28, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.
Sir: I am directed by the Senate
to inform the House that the Senate
has passed

H. B. No. 873, A bill to be entitled "An Act to amend Article 1667, Revised Statutes of 1925, as amended by House Bill No. 59, passed by the Forty-second Legislature at its Second Called Session, approved October 6, 1931, and providing that in counties containing a population of not less than 75,000, and not more than 80,000, as shown by the last preceding Federal Census, and which contain navigation districts, water improvement districts, and water control and improvement districts, the county auditor shall audit books, accounts, records, bills, and warrants of such districts, and other districts created for improvement and conservation purposes which are not administered by the commissioners court of such counties, and declaring an emergency." (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 875, "An Act to be known as Articles 1656-a and 1656-b, applying to counties having a population of 350,000, or more, according to the last preceding or any future Federal Census, prescribing the authority of the county auditor with reference to the system, forms, and reports to be used in connection with the receipt and disbursement of all county revenues, funds, fees, and moneys received and disbursed by county and precinct officers belonging to the county, its subdivisions, and precincts, including moneys collected and disbursed by, or on hand with, such officers for the benefit of individuals, firms, or corporations; prescribing the time, mode, and manner of making monthly, annual, or other reports to the auditor; authorizing the auditor to verify the cash on hand in support of all official reports of such officers relating to such receipts, disbursements, and balances; requiring the approval of the judge of the court in which such funds were deposited on all disbursements of such trust funds and requiring the countersignature of the county auditor on all checks issued, etc., and declaring an emergency."

H. C. R. No. 48, Granting E. R. Leach permission to sue the State.

H. C. R. No. 46, Granting H. L. Stancil permission to sue the State.

H. J. R. No. 32, Proposing an amendment to Section 1-a, Article VIII, of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed value of all residence homesteads, as now defined by law, from all taxation for all State purposes, excepting, until the expiration of such remission period, or the need of such remission, that portion of the State ad valorem taxes remitted within certain counties and political subdivisions now receiving a remission of such taxes; providing for submission of same to the qualified electors of the State; providing for the necessary proclamation, and making an appropriation to defray the expenses of the proclamation, publication, and election.

CONFERENCE COMMITTEE RE- PORT ON HOUSE BILL NO. 28

Mr. Alsup submitted the following conference committee report on House Bill No. 28:

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Bill No. 28, have had same under consideration, and beg leave to report back that we have adjusted the differences between the two Houses, and recommend that the bill be passed as heretofore finally passed by the Senate.

Respectfully submitted,

SMALL,
DeBERRY,
COLLIE,
PATTON,

On the part of the Senate;

ALSUP,
READER,
WALKER,
SULLIVANT,
MATHIS,

On the part of the House.

On motion of Mr. Alsup, the report was adopted by the following vote:

Yeas—109

Adamson.	Kayton.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Lemens.
of Bexar.	Leonard.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mathis.
Barrett.	McClain.
Barron.	McKee.
Beck.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Chastain.	Morse.
Clayton.	Nicholson.
Crossley.	Palmer.
Daniel.	Pavlica.
Davidson.	Pope.
Dean.	Puryear.
Devall.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harris.	Scarborough.
Hartzog.	Shannon.
Hester.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holland.	Tarwater.
Holloway.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
Jefferson.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.

Nays—8

Bradley.	James.
Harman.	Kyle of Hays.

Lindsey.
Parkhouse.

Rollins.
Scott.

Absent

Bedford.	Hoskins.
Butler.	Long.
Caven.	Mackay.
Cowley.	McCullough.
Dunlap.	McDougald.
Duvall.	McGregor.
Few.	Munson.
Fuchs.	Patterson.
Greathouse.	Weinert.
Griffith.	West.
Harrison.	Young.
Head.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Dwyer moved that House Bill No. 832 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—76

Alexander.	Huddleston.
Anderson	Hughes.
of Johnson.	Hunt.
Baker.	Hyder.
Barrett.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Canon.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Daniel.	Jones of Shelby.
Davidson.	Kayton.
Devall.	Kyle of Palo Pinto.
Dunlap.	Lemens.
Dwyer.	Mathis.
Engelhard.	McClain.
Fisher.	McKee.
Fuchs.	Metcalfe.
Glass.	Mitcham.
Good.	Moore.
Goodman.	Morse.
Haag.	Munson.
Hankamer.	Nicholson.
Hartzog.	Palmer.
Hester.	Pavlica.
Hicks.	Pope.
Hill of Brazoria.	Ramsey.
Holekamp.	Ratliff.
Holland.	Reed of Dallas.
Holloway.	Riddle.

Roberts.	Steward.
Rogers	Stinson.
of Ochiltree.	Stovall.
Rollins.	Tillery.
Ross.	Van Zandt.
Russell.	Walker.
Scarborough.	Winningham.
Shannon.	Wood.
Smith.	Young.
Stanfield.	

Nays—34

Adamson.	Merritt.
Aikin.	Morrison.
Alsup.	Parkhouse.
Bradley.	Puryear.
Cathey.	Ray.
Dean.	Reed of Bowie.
Fain.	Rogers of Hunt.
Few.	Savage.
Golson.	Scott.
Greathouse.	Shults.
Harman.	Tarwater.
Harris.	Tennyson.
Jones of Runnels.	Thomas.
Kyle of Hays.	Townsend.
Lindsey.	Turlington.
Lotief.	Vaughan.
Magee.	Wagstaff.

Absent

Anderson	Hodges.
of Bexar.	Hoskins.
Barron.	Laird.
Butler.	Latham.
Calvert.	Leonard.
Camp.	Long.
Caven.	Mackay.
Cowley.	McCullough.
Crossley.	McDougald.
Duvall.	McGregor.
Ford.	Moffett.
Graves.	Patterson.
Griffith.	Weinert.
Harrison.	Wells.
Head.	West.
Hill of Webb.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

REPORT OF THE COMMITTEE IN REGARD TO ALLEGED AS- SAULT UPON A MEMBER OF THE HOUSE

The Speaker laid before the House, for consideration at this time, the following report:

Committee Room,
Austin, Texas, April 28, 1933.

To the Hon. Coke R. Stevenson, Speaker of the House of Representatives of the Forty-third Legislature.

Sir: We, your committee appointed under and by virtue of House Simple Resolution No. 149, beg leave to make the following report:

That promptly upon the passage of said resolution, we, your committee, organized and proceeded immediately to perform the duties imposed on us under said resolution, and have caused many witnesses to be summoned and examined before said committee in connection with the matters contained in said resolution. Having completed our labors, we beg leave to submit the following report, based upon the evidence adduced before us, and upon which we base the following findings, prepared in the form of charges:

I

That on or about midnight of April 24, 1933, Charles F. Roeser, Bryan Payne and W. C. Stroube, acting together, did unlawfully and wilfully, in the lobby of the Stephen F. Austin Hotel, in the City of Austin, Travis County, Texas, make an assault upon the person of Hon. Gordon M. Burns, a Member of the House of Representatives of the Forty-third Legislature of the State of Texas, by hitting, striking, kicking, and cursing him, because of words spoken by said Member in debate on the floor of the House during the Regular Session of the Forty-third Legislature. That by reason of said assault said Gordon M. Burns was painfully injured, and for two days thereafter he was confined in a hospital in the City of Austin, and for the third day has been confined to his room in a local hotel, and has been unable to attend the sessions of the Legislature and to discharge his official duties as a Member of said Legislature since said assault.

II

That on the date above-mentioned the said Charles F. Roeser, Bryan Payne, and W. C. Stroube did curse and otherwise abuse the said Gordon M. Burns, and among other things,

called him a "son of a bitch," because of words spoken in said debate on the floor of the House, and for opposing legislation then pending in the Forty-third Legislature of the State of Texas, which is now in session.

III

That by reason of privileged statements and arguments made in debate by the said Gordon M. Burns, on the floor of the House, and as a Member of same, the said C. F. Roeser, Bryan Payne, and W. C. Stroube did then and there and thereafter, without just cause, take exception thereto, and did assault said Burns in the lobby of the Austin Hotel as aforesaid, which assault was in violation of the Constitution of the State of Texas, granting immunity to the Members of the Legislature for words spoken in debate, and the said Roeser, Payne, and Stroube did, by said assault, obstruct the proceedings of said Legislature; and that said assault has caused, and does continue to cause, unwarranted obstruction of the proceedings of the Legislature.

IV

That at the time of the unlawful assault originally begun by said Charles F. Roeser, and while it was going on, and while the said Roeser was attacking Representative Burns, and was striking him with his fists, and was cursing said Gordon M. Burns, and calling him a "son of a bitch," the said Bryan Payne and the said W. C. Stroube, being then and there present, and knowing the unlawful intent of the said Charles F. Roeser to make an unlawful assault upon the person of Representative Gordon M. Burns, then and there aided, and abetted, and encouraged the said Charles F. Roeser to so assault the person of Representative Gordon M. Burns and to do him bodily injury by then and there cursing the said Gordon M. Burns, and calling him, among other things, a "son of a bitch," and by then and there shouting to the said Charles F. Roeser, in substance, "Kill the son of a bitch," and, in substance, "Let him (meaning Roeser) kill the son of a bitch" (meaning Representative Burns), and by then and there stating in substance, "The son of a bitch (meaning Representative Gordon M. Burns) is getting what is coming to him. He has been taking advantage of his privileges on the floor and abusing Charlie" (meaning Roeser).

That said language and said words of encouragement, then and there uttered by the said Bryan Payne and W. C. Stroube, were not only meant as encouragement to the said Charles F. Roeser to commit said assault upon the person of Representative Gordon M. Burns, but said words in themselves constituted an invasion of the privileges and immunities granted by the Constitution of this State to said Burns as a Member of the Legislature, and were meant and intended to be a punishment to him for words spoken in debate on the floor of the House, and for his activities in assisting and attempting to defeat the passage of House Bill No. 213, which had been pending before the House of Representatives of the Forty-third Legislature in its present Regular Session, and were calculated and intended to intimidate the said Representative Gordon M. Burns, and other Members in the free discussion and debate of said measure if it should be returned to the House by the Senate for concurrence in amendments or otherwise, and to intimidate said Member or any other Member in the free and open discussion and debate of any other measure in which the said Charles F. Roeser, the said Bryan Payne, or the said W. C. Stroube might thereafter be interested.

That said words so spoken were in obstruction of the proceedings of the House in that, as heretofore set out, the said Representative Gordon M. Burns was prevented, by the conduct and acts of physical violence of said Charles F. Roeser and the said Bryan Payne and W. C. Stroube, above set out, from being present at sessions of the Legislature on the twenty-fifth, twenty-sixth, and twenty-seventh days of April, 1933, in the discharge of his official duties, and has been prevented from participating in the activities of the House.

V

All of which acts hereinbefore mentioned were in open contempt of the House of Representatives, and its right to transact legislative business for the people, free from molestation, and was for the purpose of intimidating a Member, or Members, of said House in the performance of his, or their, official duties, and was an obstruction of the proceedings of the House in that the said Gordon M. Burns, being a duly elected and quali-

fied Member of the House of Representatives, and having been selected for that position by the qualified voters of his legislative district on account of his qualifications for such position, had a right to be present at all sessions of said House in the discharge of his official duties as a Member, but was prevented therefrom by the conduct and acts of physical violence of the said Charles F. Roeser, Bryan Payne, and W. C. Stroube, above set out. The absence of the said Gordon M. Burns, caused as aforesaid by the unlawful acts of the said Roeser, Payne, and Stroube, was an obstruction of the proceedings of the House of Representatives, business was delayed, and general dissatisfaction, and a disturbed state of mind ensued among the Members of said House. That because of the obstruction of the proceedings of the House of Representatives, caused as aforesaid, a resolution was passed by said House, authorizing and directing this committee to investigate the matters herein complained of.

VI

That by virtue of each and all of the acts hereinbefore enumerated on behalf of the said Charles F. Roeser, Bryan Payne, and W. C. Stroube, the rights, privileges, and immunities guaranteed to the said Gordon M. Burns as a Member of the Legislature by Sections 15 and 21, of Article III, of the Constitution of this State, have been violated, and the proceedings of this House obstructed.

After making the above findings and charges against the said Charles F. Roeser, Bryan Payne, and W. C. Stroube, we, your committee, recommend that the said Charles F. Roeser, Bryan Payne, and W. C. Stroube be required to appear at the Bar of the House at once and show cause why they should not be adjudged in contempt of the House of Representatives for the acts hereinbefore complained of, all of which were an obstruction of the proceedings of the House of Representatives, and upon their failure to do so, they be committed to imprisonment in the county jail of Travis County, Texas, for a period of forty-eight hours, to purge themselves of said contempt, and that the Sergeant-at-Arms of this House be instructed and empowered to appoint and deputize such number of assistant sergeants as may be deemed neces-

sary to carry out these recommendations, if adopted by the House, and the orders and process issued in connection therewith.

Respectfully submitted,

GOODMAN, Chairman;
VAUGHAN,
VAN ZANDT,
CALVERT,
McCLAIN,
DANIEL,
CHASTAIN.

Mr. Jones of Atascosa offered the following resolution:

Whereas, On the twenty-fifth day of April, 1933, by virtue of House Simple Resolution No. 149, a committee was appointed by the Chair, of which Hon. J. L. Goodman was chairman, to investigate and inquire into the circumstances surrounding an alleged assault upon Hon. Gordon M. Burns, a Member of this House; and

Whereas, Said committee immediately began such investigation and has concluded same, and has today filed a written report with this House making certain findings in the form of charges which they have recommended be preferred against Charles F. Roeser, Bryan Payne, and W. C. Stroube, a copy of which said report is hereto attached and made a part hereof; and

Whereas, It appears from said report that the constitutional privileges and immunities of a Member of this House have been violated, and that the orderly dispatch of the business of the House has been interfered with; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature of Texas that the report of said committee be received and ordered filed as a part of the proceedings of this House, and that that portion of said report preferring charges against the said Charles F. Roeser, Bryan Payne, and W. C. Stroube be adopted as charges here and now lodged against them by said committee, and are made a part hereof, and that in accordance with the recommendations of said committee, the Speaker of the House be instructed to command and require the said Charles F. Roeser, Bryan Payne, and W. C. Stroube to appear at once before the House and show cause why they should not be adjudged in contempt of the House

for the acts and things charged against them, and that upon their failure to so appear and answer said charges they be dealt with in the manner prescribed by law; and, be it further

Resolved, That if said Charles F. Roeser, Bryan Payne, and W. C. Stroube appear before the House to answer said charges, or are brought before the Bar of this House by the Sergeant-at-Arms, under the direction of the Speaker, to answer to said charges, that a copy of same be furnished to them and be read to them under the direction of the Speaker, and that they be required to plead guilty or not guilty to said charges; and that if they plead guilty to said charges they be dealt with in such manner as may be decided by the House, consistent with the Constitution and laws of this State; and that if they plead not guilty to said charges, then the House set a day certain for their trial upon said charges, and that upon the trial they be dealt with by the House of Representatives in conformity with the Constitution and laws of this State; and, be it further

Resolved, That the said Charles F. Roeser, Bryan Payne, and W. C. Stroube be accorded the privilege of counsel of their own choosing at the Bar of this House, and be entitled to compulsory process for the attendance of material witnesses upon the trial upon an affidavit made by said respondents that the attendance of such witnesses is necessary, and that their testimony is material to the matters under investigation by the House; and, be it further

Resolved, That the committee of seven, heretofore appointed by the Speaker under the terms of House Simple Resolution No. 149 be, and it is hereby, appointed and constituted as a committee to conduct and direct the prosecution of said charges before the House, together with the assistance of the Attorney General of this State, acting under the direction of the chairman of such committee; and, be it further

Resolved, That the Speaker of this House shall have the power to issue writs of subpoena, attachment, and such other writs as may be necessary to the orderly procedure of the trial of said charges before the House, such writs to be directed to the Sergeant-at-Arms of this House, or to

any sheriff, or constable, or other peace officer authorized to execute process in any county in this State, and shall have the authority to approve the accounts of any and all witnesses entitled to compensation who are called in attendance upon this hearing, said compensation to be the same as allowed witnesses in the district courts of this State in criminal matters, and the expenses shall be paid out of the mileage and per diem appropriation of the Forty-third Legislature.

The resolution was read second time.

(Mr. Scarborough in the Chair.)

Mr. Anderson of Johnson moved the previous question on the pending amendment on the Speaker's desk and the resolution, and the main question was ordered.

(Speaker in the Chair.)

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a conference committee on House Bill No. 399. The following have been appointed on the part of the Senate: Senators Patton, Cousins, Pace, Redditt, and Stone.

The Senate has passed

H. B. No. 845, A bill to be entitled "An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a

first lien; providing that the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest and provide the necessary sinking fund therefor, etc.; and declaring an emergency."

H. B. No. 122, A bill to be entitled "An Act to regulate the manufacture, sale, and disposition of non-intoxicating malt liquors and the places wherein same are manufactured and sold; defining non-intoxicating malt liquors; imposing an occupation tax upon certain persons, firms, corporations, and associations of persons manufacturing and selling non-intoxicating malt liquors; defining 'manufacturers' of such non-intoxicating malt liquors and regulating the business thereof, etc.; and declaring an emergency." (With amendments.)

Respectfully,
BOB BARKER,
Secretary of the Senate.

Mr. Metcalfe asked unanimous consent of the House that the House stand at ease until 2 o'clock p. m., today.

There was no objection offered, and the House, accordingly, at 12 o'clock m., agreed to stand at ease until 2 o'clock p. m., today.

The House reconvened at 2 o'clock p. m., and was called to order by the Speaker.

REPORT OF THE COMMITTEE IN REGARD TO ALLEGED AS- SAULT UPON A MEMBER OF THE HOUSE

The House resumed consideration of pending business, same being the report of the committee heretofore appointed to investigate the alleged assault upon a Member of the House of Representatives, with a resolution by Mr. Jones of Atascosa, in regard to same, pending.

Mr. Haag offered the following amendment to the resolution:

Amend House Resolution No. 155 by striking out, on page 3, lines 2 and 3, the following words: "together with the assistance of the Attorney General of this State," and insert in lieu thereof the following: "and the

Speaker shall appoint, from the Membership of this House, an attorney, or attorneys, to assist in the prosecution provided for herein."

The amendment was lost.

Mr. Pope offered the following substitute for the resolution by Mr. Jones of Atascosa:

"Resolved, That the House accept committee report, and file it with a copy of the evidence taken by the committee as a record of this House, and cause a copy of the report to be served on the three parties named in the report with direction that they appear and plead before this House on Monday, May 1, 1933, at 10 a. m."

The substitute resolution was lost by the following vote:

Yeas—10

Cathey.	Mathis.
Dwyer.	Pope.
Good.	Shannon.
Hartzog.	Stinson.
Hill of Webb.	Walker.

Nays—104

Aikin.	Hankamer.
Alexander.	Harman.
Alsup.	Harris.
Anderson	Head.
of Bexar.	Hester.
Anderson	Hicks.
of Johnson.	Hill of Brazoria.
Baker.	Hodges.
Barrett.	Holland.
Beck.	Hoskins.
Bedford.	Huddleston.
Bradley.	Hughes.
Calvert.	Hunt.
Camp.	Hyder.
Canon.	Jackson.
Caven.	James.
Chastain.	Jones of Atascosa.
Clayton.	Jones of Runnels.
Colson.	Jones of Shelby.
Crossley.	Kyle of Hays.
Daniel.	Laird.
Davidson.	Latham.
Devall.	Lemens.
Engelhard.	Leonard.
Fain.	Lindsey.
Few.	Long.
Fisher.	Magee.
Ford.	McClain.
Fuchs.	McCullough.
Glass.	McDougald.
Golson.	McKee.
Goodman.	Merritt.
Graves.	Metcalfe.
Griffith.	Mitcham.
Haag.	Moffett.

Moore.	Savage.
Morrison.	Scarborough.
Morse.	Scott.
Munson.	Shults.
Nicholson.	Smith.
Palmer.	Stanfield.
Parkhouse.	Steward.
Purveyar.	Stovall.
Ratliff.	Tarwater.
Ray.	Tennyson.
Reed of Bowie.	Thomas.
Reed of Dallas.	Townsend.
Riddle.	Vaughan.
Roberts.	Wagstaff.
Rogers of Hunt.	Wells.
Rogers	West.
of Ochiltree.	Winningham.
Rollins.	Young.
Ross.	

Present—Not Voting

Turlington.

Absent

Adamson.	Kayton.
Barron.	Kyle of Palo Pinto.
Butler.	Lotief.
Cowley.	Mackay.
Dean.	McGregor.
Dunlap.	Patterson.
Duvall.	Pavlica.
Greathouse.	Ramsey.
Harrison.	Russell.
Holekamp.	Tillery.
Holloway.	Van Zandt.
Jefferson.	Weinert.
Johnson	Wood.
of Anderson.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Coombes.	Reader.
Dunagan.	Renfro.
	Sullivant.

Question then recurring on the resolution by Mr. Jones of Atascosa, it was adopted by the following vote:

Yeas—112

Adamson.	Cathey.
Alexander.	Caven.
Alsup.	Chastain.
Anderson	Clayton.
of Bexar.	Colson.
Anderson	Crossley.
of Johnson.	Daniel.
Baker.	Davidson.
Barrett.	Dean.
Beck.	Devall.
Bedford.	Dunlap.
Bradley.	Engelhard.
Calvert.	Fain.
Camp.	Few.
Canon.	Fisher.

Ford.	Metcalfe.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.
Goodman.	Morrison.
Graves.	Morse.
Griffith.	Munson.
Haag.	Nicholson.
Hankamer.	Palmer.
Harman.	Parkhouse.
Harris.	Purveyar.
Head.	Ratliff.
Hester.	Ray.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holland.	Rogers of Hunt.
Holloway.	Rogers
Hoskins.	of Ochiltree.
Huddleston.	Rollins.
Hughes.	Ross.
Hunt.	Savage.
Hyder.	Scarborough.
Jackson.	Scott.
James.	Shannon.
Jefferson.	Shults.
Jones of Atascosa.	Smith.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kyle of Hays.	Stinson.
Laird.	Stovall.
Latham.	Tarwater.
Lemens.	Tennyson.
Leonard.	Thomas.
Lindsey.	Townsend.
Lotief.	Van Zandt.
Magee.	Vaughan.
McClain.	Wagstaff.
McCullough.	Walker.
McDougald.	Winningham.
McKee.	Young.
Merritt.	

Nays—7

Aikin.	Long.
Dwyer.	Mathis.
Good.	West.
Hartzog.	

Present—Not Voting

Turlington. Wells.

Absent

Barron.	Mackay.
Butler.	McGregor.
Cowley.	Patterson.
Duvall.	Pavlica.
Greathouse.	Pope.
Harrison.	Ramsey.
Holekamp.	Russell.
Johnson	Tillery.
of Anderson.	Weinert.
Kayton.	Wood.
Kyle of Palo Pinto.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Coombes.	Reader.
Dunagan.	Renfro.
	Sullivant.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has adopted

S. C. R. No. 48, Recalling House
Bill No. 845 from the House for fur-
ther consideration.

The Senate has passed

H. B. No. 405, A bill to be entitled
"An Act giving to Krisch, Lanham,
and Walker, a partnership firm com-
posed of Rudy Krisch, Jr., R. E. Lan-
ham, and S. P. Walker, of San An-
tonio, Bexar County, Texas, consent
of the Legislature to sue the State of
Texas and State Highway Commis-
sion for balance due under a contract
dated February 2, 1931, for the im-
provement of Road No. 131, Job No.
136-B, in Kinney County, Texas, com-
mencing at Station 0+00, Brackett-
ville, and extending thence to Station
486+60.3, Spofford, and for damages
in connection with and growing out
of said contract, and declaring an
emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECALLING HOUSE BILL NO. 845 FOR FURTHER CORRECTION

The Speaker laid before the House,
for consideration at this time, the
following resolution:

S. C. R. No. 48, Recalling House
Bill No. 845 for correction by the
Senate.

Whereas, House Bill No. 845 has
been sent to the House; and

Whereas, A correction should be
made in said bill before the same is
signed by the Speaker of the House
and the President of the Senate; now,
therefore, be it

Resolved by the Senate of Texas,
the House of Representatives concur-

ring, That House Bill No. 845 be re-
turned to the Senate for correction.

The resolution was read second
time, and was adopted.

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence
of the House, after giving due notice
thereof, and their captions had been
read severally, the following enrolled
bill and resolutions:

H. B. No. 405, "An Act giving to
Krisch, Lanham, and Walker, a part-
nership firm composed of Rudy
Krisch, Jr., R. E. Lanham, and S. P.
Walker, of San Antonio, Bexar Coun-
ty, Texas, consent of the Legislature
to sue the State of Texas, and State
Highway Commission for balance due
under a contract dated February 2,
1931, for the improvement of Road
No. 131, Job No. 136-B, in Kinney
County, Texas, commencing at Station
0+00, Brackettville, and extending
thence to Station 486+60.3, Spofford,
and for damages in connection with
and growing out of said contract; and
declaring an emergency."

H. J. R. No. 41, Proposing an amend-
ment to Section 5, of Article II, of the
Constitution of Texas, permitting a
city that has adopted and amended its
charter as provided in Section 5, of
Article II, to alter, amend, or repeal
its charter once in every six months;
providing for its submission to the
voters of the State of Texas as re-
quired by the Constitution, and mak-
ing an appropriation therefor.

H. J. R. No. 42, Proposing amend-
ments to Section 30, of Article XVI,
of the Constitution of Texas, permit-
ting elected officials of a city that has
adopted and amended its charter as
provided in Section 5, of Article II,
of the Constitution of Texas, by
amendment to such city's charter, to
hold office not exceeding four (4)
years; providing for its submission to
the voters of the State of Texas, as
required by the Constitution, and
making an appropriation therefor.

H. C. R. No. 36, Granting T. W.
Tucker permission to sue the State.

H. C. R. No. 45, Granting Womack
Construction Company permission to
sue the State.

H. C. R. No. 51, Granting Tibbetts
Construction Company permission to
sue the State.

CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 231

Mr. Greathouse submitted the following conference committee report on House Bill No. 231:

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses in respect to House Bill No. 231, have duly considered the differences between the two Houses and have reached an agreement whereby we have adjusted the differences, and we have adopted the bill as amended by the Senate, with the following additions, to wit:

(1) The original Senate amendment provides as one of the prerequisites of the defendant's right to a continuance that he show that he was not in arrears in the payment of his taxes for more than two years. This has been changed to four years.

(2) The original Senate amendment provided for an extension of 180 days, and we have extended it to 200 days, with the right for a further extension to May 1, 1934.

(3) The bill as now written applies in all suits pending, or which might be filed, during the life of the Act wherein (a) the plaintiff seeks to recover real estate, and (b) wherein he sues on notes and seeks to foreclose the vendor's lien, and (c) for injunctions against sales of real estate under powers conferred by deeds of trust.

We attach hereto a complete bill, as written by your conferees, and recommend the adoption of this report and the final passage of said bill in both Houses:

"H. B. No. 231,

A BILL

To Be Entitled

An Act providing means and methods whereby suits and causes of actions involving judgments for the recovery of real property or the foreclosure of liens against real property, and which are pending on the effective date hereof, or which may be filed within one hundred and

eighty (180) days from the effective date hereof, or as otherwise provided herein, may be postponed or continued, and orders of sales and executions may be stayed by complying with the conditions as provided in this Act, authorizing temporary injunctions to stay sales under execution, orders of sales, or deeds of trust, providing for extensions under certain conditions; permitting appeals without requiring supersedeas bonds, and setting forth the conditions to be complied with, and the duties of the judge and of the court in respect thereto, limiting the time this Act shall be effective and suspending laws in conflict herewith, but not repealing any laws, containing a savings clause, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the effective date of this Act, and during the period of time this Act is made effective as provided herein, in all suits or causes of action which are pending in any trial court exercising jurisdiction in this State on the effective date of this Act, and in all suits or causes of actions which may be filed within one hundred and eighty (180) days from and after the effective date of this Act, and in which a judgment for the recovery of real property sought to be recovered, or wherein a recovery of real property is sought for a failure or omission to pay any indebtedness due thereon, or to foreclose any lien, or liens, thereon, the defendant shall have the right to a postponement or continuance thereof as herein provided, and a stay of orders of sales or executions by complying with the conditions as herein-after set forth, to wit:

(1) That the defendant file therein a sworn statement showing:

(a) That the defendant is unable to pay said indebtedness, and that the property of the defendant, if sold under an order of sale, or any other property of the defendant, if sold under execution, would probably sell for less than its reasonable market value, and/or less than its intrinsic value.

(1-a) That the lien sought to be foreclosed was not procured or obtained for the purpose of securing in part, or whole, any indebtedness for

money or property procured by misrepresentation, fraud, defalcation, or embezzlement.

(b) That the rendition of a judgment as prayed for by plaintiff and the sale of the defendant's property under deed of trust, or execution, or order of sale would result in an unfair, unjust, and inequitable financial injury to the defendant.

(c) That the property upon which the lien is sought to be foreclosed is not being wasted, ill-treated, mismanaged, or destroyed, and is in substantially as good condition as when the lien was first executed, and that the defendant has not, with the intent to defeat or delay the collection of the indebtedness, or the enforcement of the lien, dissipated the property, or the rents, and revenue theretofore derived therefrom.

(d) That the defendant is not in arrears in the payment of taxes for more than four (4) years since February 1, 1922, on the property involved in the suit.

(e) That the defendant consent either to the appointment by the judge, or the court, of a disinterested party to collect all rents and revenues derived from the property upon which the lien exists, during the period of postponement, or continuance, or stay of orders of sales, or executions, and to apply the same as a credit on the indebtedness, or deposit the same in the registry of the court, to await the final disposition of the case, or to use, apply, or dispose of the rents as the judge may direct, without the appointment of a disinterested party to collect the same.

Upon the filing of such motion, the judge, or court, before whom said suit or cause of action is pending, shall, before proceeding to trial on its merits, hear evidence in support of, or against, the facts alleged in said motion, and if it be made to appear to the court that said allegations are probably true, the court shall defer rendering judgment in said cause for as long a period of one hundred and eighty (180) days, nor shall any order of sale, or execution, issue until after the expiration of the time fixed by the court; provided, however, that the judge, or court, shall have authority, upon further application at the end of the time to which cause has been postponed, but not after the expiration of two hundred (200) days from the effective date of this Act, if it rea-

sonably appears that the same condition exists as in the first instance, to grant further extensions from time to time, but in no event beyond May 1, 1934.

It shall be the duty of the court, in determining whether or not said allegations are true, and whether a postponement or continuance shall be granted, to take into consideration the financial condition of the parties, both plaintiffs and defendants, and the nature and character of the property, and the disposition likely to be made of the property if taken possession of by the plaintiff, or retained by the defendant, and the general economic conditions existing at the time of the hearing of the application.

Sec. 2. Nothing herein shall be held to prevent or limit the right of any court to enter any judgment by agreement of the parties.

Sec. 3. The judge, or court, having jurisdiction of the subject matter, is hereby authorized to grant temporary injunctions, at the instance of the debtor, to prevent a sale of real property under execution, orders of sale of real property, or under deeds of trust conveying lands as security for debt upon the same terms and conditions as is authorized by Section 1 of this Act, and during the life of this Act.

Sec. 4. Nothing contained in this Act shall prevent the court, or the judge thereof, upon good cause shown, from granting such preliminary and ancillary remedies by injunction, or otherwise, including receivership, in accordance with the provisions of the law and the usages of equity which may, in the discretion of such court, or judge, appear to be necessary for the preservation and protection of the rights of parties and of property during the pendency of any litigation concerning the subjects herein mentioned.

Sec. 5. During the existence of this Act, and as long as it is operative, nothing herein contained shall prevent parties from litigating and contesting cases pending in court, and appealing from judgments rendered therein, without filing the motion mentioned in Section 1 hereof, or after such motion is overruled, and in cases where judgments are rendered and an appeal is taken, the appealing party shall be entitled to have execution or order of sale stayed and postponed, pending

such appeal, without filing a supersedeas bond, if, from the facts proven upon application for such stay order, it reasonably appears to the court that the appealing party is unable to execute a good and sufficient supersedeas bond, or that it would be inequitable, unjust, and unfair to permit his property (whether secured by lien or not) to become subjected to sale during the pendency of such appeal.

Sec. 6. If, and in the event any defendant does not elect to file the motion and make proof in support thereof, as authorized by Section 1 of this Act, and proceeds to trial, as provided by Section 5 of this Act, and is relieved of the necessity of filing a supersedeas bond, and having executions, or orders of sales, stayed and postponed pending his appeal, then in such event, if the judgment is one foreclosing a lien upon real property, the defendant in judgment so appealing, as a prerequisite to his right to have executions and orders of sale stayed or postponed, and as a prerequisite to his right to appeal without the filing of a supersedeas bond, shall consent to the appointment by the judge of the court of some disinterested party to collect all rents and revenues derived from the property upon which the lien exists during the period of the appeal, and that the person so appointed by the court shall apply the same as a credit on the indebtedness, or deposit the same in the registry of the court, to await the final disposition of the case, as the judge may direct.

Sec. 7. If any defendant in any cause pending during the life of this Act shall represent to the court, in writing, that he is unable to employ attorneys to present the motion as herein authorized, and to present the facts to the court, the court shall appoint reputable counsel to represent said defendant, and in all cases it shall be the duty of the court to aid in the development of all facts necessary to enable the court to intelligently and fairly act upon the issues presented by the application filed by the defendant who is unable to employ counsel.

Sec. 8. No act of any person, corporation, partnership, or association, invoking the benefits of this Act, shall be construed to be a confession, or admission, directly or indirectly, of

insolvency, so as to force involuntary receivership, and no testimony heard, or evidence adduced in, or by any trial court under the terms of this Act, either in support of or in opposition to the application of any such person, corporation, partnership, or association shall be admitted in evidence in any court in any action of receivership, or in any action involving solvency, or insolvency, of the defendant.

Sec. 9. This Act shall have no effect upon any suit, or cause of action, based upon or seeking to enforce a contract, or contracts, entered into, or obligations executed, or assumed, subsequent to the effective date of this Act, even though such contracts or obligations be in renewal or extension of, or otherwise relate to, contracts or obligations executed or assumed prior to the effective date of this Act.

Sec. 10. If any section, subsection, subdivision, paragraph, sentence, clause, or words of this Act be held to be unconstitutional, the remaining portions shall nevertheless be valid, and it is declared that such remaining portions would have been included in this Act, though the unconstitutional portions had been omitted therefrom.

Sec. 11. All laws or parts of laws in conflict with any of the provisions of this Act are hereby suspended for the period of one hundred and eighty (180) days from and after the effective date hereof, and to May 1, 1934, in all cases where extensions have been granted to that date as provided by this Act, but no statute is intended to be repealed, and upon the expiration of 200 days, from and after the effective date of this Act, it shall be of no further force and effect, and any and all laws suspended during the effective period of this Act shall immediately become operative and in full force and effect as effectively as if this Act had not been passed.

Sec. 12. The fact that an extraordinary financial emergency and depression exists within this State and elsewhere, and that many citizens are threatened with destructive suits for the recovery of money, and to the foreclosure of liens upon property, and that it is difficult to secure supersedeas bonds, and by reason thereof imminent danger exists whereby citizens may be subjected to distress-

ing losses, and because thereof such suits or proceedings as provided in this Act should be permitted to be stayed, or continued, for the period and under the circumstances as herein provided, and the fact that great and irreparable wrong and injury will be done unless immediate relief as aforesaid hereby be granted create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

WOODWARD,
POAGE,
ONEAL,
RAWLINGS,

On the part of the Senate;

GREATHOUSE,
STANFIELD,
POPE,
LINDSEY,
McCLAIN,

On the part of the House.

On motion of Mr. Greathouse, the report was adopted by the following vote:

Yeas—104

Adamson.	Goodman.
Aikin.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Bexar.	Hankamer.
Baker.	Harman.
Barrett.	Harris.
Beck.	Hartzog.
Bradley.	Hester.
Camp.	Hicks.
Canon.	Hill of Brazoria.
Cathey.	Hill of Webb.
Chastain.	Hodges.
Clayton.	Holland.
Colson.	Holloway.
Cowley.	Hoskins.
Crossley.	Huddleston.
Daniel.	Hughes.
Dean.	Hunt.
Devall.	Hyder.
Dunlap.	Jackson.
Dwyer.	James.
Engelhard.	Jefferson.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Fisher.	Laird.
Fuchs.	Latham.
Glass.	Lemens.
Golson.	Leonard.

Lindsey.	Rogers of Hunt.
Lotief.	Rogers
Magee.	of Ochiltree.
Mackay.	Rollins.
Mathis.	Ross.
McClain.	Savage.
McCullough.	Scarborough.
McKee.	Scott.
Merritt.	Shannon.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moffett.	Steward.
Morrison.	Stovall.
Nicholson.	Tarwater.
Palmer.	Tennyson.
Pavlica.	Thomas.
Pope.	Tillery.
Puryear.	Townsend.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Riddle.	Wells.
Roberts.	Young.

Nays—8

Bedford.	Head.
Caven.	Kyle of Hays.
Davidson.	Shults.
Ford.	Vaughan.

Absent

Alexander.	Long.
Anderson	McDougald.
of Johnson.	McGregor.
Barron.	Moore.
Butler.	Morse.
Calvert.	Munson.
Duvall.	Parkhouse.
Good.	Patterson.
Haag.	Ramsey.
Harrison.	Russell.
Holekamp.	Stinson.
Johnson	Weinert.
of Anderson.	West.
Jones of Atascosa.	Winningham.
Kayton.	Wood.
Kyle of Palo Pinto.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Coombes.	Reader.
Dunagan.	Renfro.
	Sullivant.

HOUSE BILL NO. 873 WITH SENATE AMENDMENTS

Mr. West called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 873, A bill to be entitled "An Act to amend Article 1667, Revised Statutes of 1925, as amended

by House Bill No. 59, passed by the Forty-second Legislature at its Second Called Session, approved October 6, 1931, and providing that in counties containing a population of not less than 75,000, and not more than 80,000, as shown by the last preceding Federal Census, and which contain navigation districts, water improvement districts, and water control and improvement districts, the county auditor shall audit books, accounts, records, bills, and warrants of such districts, and other districts created for improvement and conservation purposes which are not administered by the commissioners court of such counties; and declaring an emergency."

The Speaker laid the bill before the House.

On motion of Mr. West, the House concurred in the senate amendments by the following vote:

Yeas—105

Adamson.	Hester.
Aikin.	Hicks.
Alsup.	Hill of Brazoria.
Anderson	Hill of Webb.
of Bexar.	Holland.
Baker.	Holloway.
Barrett.	Hoskins.
Beck.	Huddleston.
Bedford.	Hughes.
Bradley.	Hunt.
Camp.	Hyder.
Canon.	Jackson.
Cathey.	James.
Caven.	Jefferson.
Chastain.	Jones of Runnels.
Clayton.	Kyle of Hays.
Colson.	Laird.
Cowley.	Latham.
Crossley.	Lemens.
Davidson.	Leonard.
Dean.	Lindsey.
Devall.	Lotief.
Dwyer.	Magee.
Engelhard.	Mackay.
Fain.	Mathis.
Few.	McClain.
Fisher.	McKee.
Ford.	Merritt.
Fuchs.	Metcalfe.
Glass.	Mitcham.
Golson.	Moffett.
Goodman.	Morrison.
Graves.	Nicholson.
Greathouse.	Palmer.
Griffith.	Pavlica.
Harman.	Pope.
Harris.	Puryear.
Hartzog.	Ratliff.
Head.	Ray.

Reed of Dallas.	Steward.
Riddle.	Stinson.
Roberts.	Stovall.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Savage.	Turlington.
Scarborough.	Van Zandt.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Wells.
Smith.	Young.
Stanfield.	

Present—Not Voting

Reed of Bowie.

Absent

Alexander.	Kayton.
Anderson	Kyle of Palo Pinto.
of Johnson.	Long.
Barron.	McCullough.
Butler.	McDougald.
Calvert.	McGregor.
Daniel.	Moore.
Dunlap.	Morse.
Duvall.	Munson.
Good.	Parkhouse.
Haag.	Patterson.
Hankamer.	Ramsey.
Harrison.	Russell.
Hodges.	Vaughan.
Holekamp.	Weinert.
Johnson	West.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Shelby.	

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Coombes.	Reader.
Dunagan.	Renfro.
	Sullivant.

OATH OF OFFICE ADMINISTERED

Speaker Stevenson laid before the House, and had read, the following Certificate of Election of the Hon. Augustine Celaya, Representative-elect of the Seventy-second Representative District, of Cameron County, Texas:

Certificate of Election

State of Texas, County of Cameron

This is to Certify, That at the special election for State, county and precinct offices, held in said County and State, on the twenty-second day of April, 1933, Augustine Celaya re-

ceived 1,415 votes for the office of Member of the Legislature, Seventy-second District, of Cameron County, Texas, that being the highest number of votes received by any person for said office at said election.

Therefore, I proclaim that the said Augustine Celaya has been duly elected to the office of Member of the Legislature, Seventy-second District, of said County, and as soon as he shall file his bond and qualify as the law directs, he shall enter upon the discharge of the duties of said office, and shall receive all the rights, privileges, and emoluments of said office, and

This Certificate shall be his authority for so doing until such time as his Commission shall issue.

To certify which, I hereunto set my hand and seal of office at Brownsville, Texas, this twenty-fourth day of April, 1933.

A. W. CUNNINGHAM,
County Judge, Cameron County,
Texas.

Attest: (Seal)

H. D. Seago, County Clerk,
Cameron County, Texas.

Speaker Stevenson appointed the Hon. Milton H. West to escort Mr. Celaya to the Speaker's stand, for the purpose of having Mr. Celaya take the constitutional oath of office.

Mr. Celaya, having been escorted to the Speaker's stand, took the constitutional oath of office, which was administered to him by the Hon. Coke R. Stevenson, Speaker of the House.

Speaker Stevenson then presented the Hon. Milton H. West, Congressman-elect, who addressed the House briefly, and introduced the Hon. Augustine Celaya.

Mr. Celaya then addressed the House.

EXTENDING PRIVILEGES OF THE FLOOR

On motion of Mr. Anderson of Bexar, the privileges of the floor were extended to Hon. Milton H. West.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 19

Mr. Bradley submitted the following conference committee report on House Bill No. 19:

Committee Room,
Austin, Texas, April 19, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Bill No. 19, have had the same under consideration, and beg leave to submit the following:

"H. B. No. 19,

A BILL

To Be Entitled

An Act to amend Article 1569, and Article 1572, Chapter 3, Title 18, Revised Penal Code of the State of Texas of 1925, providing for penalties, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 1569 and 1572, Chapter 3, Title 18, of the Revised Penal Code of the State of Texas be amended so as to hereafter read as follows:

"Article 1569. Hours of Work. No female shall be employed:

"1. In any factory, mine, mill, workshop, mechanical or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, barber shop, beauty shop, roadside drink and/or food venting establishment, telegraph, telephone, or other office, express or transportation company, or any State institution, or any other establishment, institution, or enterprise where females are employed, for more than nine hours in any one calendar day, nor more than forty-four hours in any one calendar week.

"2. In any laundry or cleaning and pressing establishment for more than fifty-four hours in one calendar week; the hours of work to be so arranged as to permit the employment of such female at any time so that she shall not work more than a maximum of eleven hours during the twenty-four-hour period of one day.

3. In any factory engaged in the manufacture of cotton, woolen, or worsted goods or articles of merchandise manufactured out of cotton goods

for more than ten hours in any one calendar day, nor more than sixty hours in any one calendar week."

"Article 1572. Punishment. Any employer, overseer, superintendent, foreman, or other agent of any such employer who shall permit any female to work in any place mentioned in the first Article of this Chapter more than the number of hours provided therein in any one day of twenty-four (24) hours, or in any one week, or who shall violate any of the other provisions or requirements of this Chapter in any respect, or who having furnished and provided suitable seats as provided for in the second Article of this Chapter, shall, by intimidation, instruction, threats, or in any manner, prevent such female from sitting thereon, when not attending the duties of her position, shall be fined not less than fifty dollars (\$50), nor more than two hundred dollars (\$200). Each day of such violation, and each calendar week of such violation, and each such employe permitted to work in said places more than the hours so specified in this Chapter, and every other violation of the provisions of this Chapter shall be considered a separate offense."

Sec. 2. The fact that the Court of Criminal Appeals recently held in Ex parte Butcher that no punishment was fixed by law for such employers, and others, who permit a female employe to work more than fifty-four (54) hours in any calendar week, and the necessity for protecting the young girls and women of this State from overwork in the places so specified in said Chapter of the Penal Code, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

BRADLEY,
HUGHES,
BEDFORD,
JEFFERSON,
ADAMSON,

On the part of the House;

SMALL,
MURPHY,
NEAL,
HOPKINS,

On the part of the Senate.

On motion of Mr. Bradley, the report was adopted by the following vote:

Yeas—98

Adamson.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Lindsey.
Baker.	Lotief.
Barrett.	Magee.
Beck.	Mackay.
Bradley.	Mathis.
Caven.	McClain.
Chastain.	McCullough.
Clayton.	McKee.
Cowley.	Merritt.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Morrison.
Dean.	Munson.
Devall.	Nicholson.
Dunlap.	Palmer.
Dwyer.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ratliff.
Fisher.	Ray.
Ford.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Riddle.
Good.	Roberts.
Graves.	Rogers of Hunt.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Harman.	Rollins.
Harris.	Ross.
Hartzog.	Savage.
Hester.	Shannon.
Hicks.	Shults.
Hill of Brazoria.	Smith.
Hill of Webb.	Stanfield.
Holland.	Steward.
Holloway.	Stinson.
Hoskins.	Stovall.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kyle of Hays.	Walker.
Laird.	Young.

Nays—4

Aikin.	Head.
Camp.	Wells.

Absent

Alexander.	Butler.
Anderson	Calvert.
of Johnson.	Canon.
Barron.	Cathey.
Bedford.	Celaya.

Duvall.	McDougald.
Fuchs.	McGregor.
Goodman.	Metcalfe.
Greathouse.	Moore.
Haag.	Morse.
Harrison.	Parkhouse.
Hodges.	Patterson.
Holekamp.	Ramsey.
Hunt.	Russell.
Johnson	Scarborough.
of Anderson.	Scott.
Jones of Atascosa.	Tarwater.
Kayton.	Weinert.
Kyle of Palo Pinto.	Winningham.
Long.	Wood.

Absent—Excused

Bourne.	Johnson
Burns.	of Dimmit.
Colson.	Reader.
Coombes.	Renfro.
Dunagan.	Sullivant.

BILL ORDERED PRINTED

Mr. Riddle moved that House Bill No. 856, reported adversely, with a minority favorable report, be printed.

The motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 231 by the following vote: Yeas, 21; nays, 3.

The Senate has passed

H. B. No. 487, A bill to be entitled "An Act to amend Chapter 91, of the General Laws of the Fortieth Legislature, amending Article 7596, of the Revised Statutes of the State of Texas, regulating liens for water rates, so as to hereafter limit the statutory lien on crops to secure water rates for irrigation to one-third of the crop; and to give to those supplying water for irrigation a preference lien on crops, superior to every other lien; to limit the lien which public utilities may contract for on crops to one-third; and to authorize waiver of lien by districts; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

Mr. Stovall moved a call of the House for the purpose of maintaining a quorum until 6 o'clock p. m., today, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

ADJOURNMENT

Mr. James moved that the House adjourn until 9:30 o'clock a. m., Saturday, April 29.

Mr. Pope moved that the House recess to 9:30 o'clock a. m., next Monday.

The motion of Mr. James prevailed, and the House, accordingly, at 4:15 o'clock p. m., adjourned until 9:30 o'clock a. m., Saturday, April 29.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Agriculture: House Bill No. 783.
Counties: House Bill No. 886;
Senate Bill No. 488.

Criminal Jurisprudence: House Bill No. 579; Senate Bill No. 182.

Education: House Bills Nos. 899 and 908; Senate Bills Nos. 529 and 292.

Highways and Motor Traffic: Senate Bills Nos. 337 and 170.

Revenue and Taxation: House Bill No. 167.

The Committee on Education filed an adverse report on House Bill No. 874.

The Committee on Revenue and Taxation filed an adverse report, with a minority favorable report, on House Bill No. 856.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 14, A bill to be entitled "An Act to amend Article 7043 of the Revised Civil Statutes of Texas, of 1925, as amended by Chapter 23,

Acts of the Third Called Session, Forty-first Legislature, as amended by Chapter 32, Acts of the Second Called Session, Forty-second Legislature, relating to ascertaining tax rate, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 891, A bill to be entitled "An Act providing for the payment by the Secretary of State for the printing of constitutional amendments submitted by the Forty-second Legislature, out of the moneys appropriated by the Forty-second Legislature; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 897, A bill to be entitled "An Act to create the Texas Rehabilitation and Relief Commission for the purpose of administering Federal and/or State funds for employment, rehabilitation, and/or relief of the unemployed; providing Commission shall cease to exist two years after effective date of Act, or at such earlier time, as in the opinion of the Governor, it may be dispensed with; defining duties of Commission; providing for appointment of members of Commission, director of Commission, and employees; providing for establishment of county departments of rehabilitation and relief, their powers and organization, making an appropriation; providing if any part of this Act is declared unconstitutional, it shall not affect the validity of the remainder, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, April 28, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 405, "An Act giving to Krisch, Lanham, and Walker, a partnership firm composed of Rudy Krisch, Jr., R. E. Lanham, and S. P. Walker, of San Antonio, Bexar County, Texas, consent of the Legislature to sue the State of Texas and State Highway Commission for balance due under a contract dated February 2, 1931, for the improvement of Road No. 131, Job No. 136-B, in Kinney County, Texas, commencing at Station 0/00, Brackettville, and extending thence to Station 486/60.3, Spofford, and for damages in connection with, and growing out of, said contract, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 32, Proposing an amendment to Section 1-a, Article VIII, of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed taxable value of all residence homesteads as now defined by law, from all taxation for all State purposes, excepting, until the expiration of such remission period or the need of such remission, that portion of the State ad valorem taxes remitted within certain counties and political subdivisions now receiving a remission of such taxes; providing for submission of same to the qualified electors of the State; providing for the necessary proclamation, and making an appropriation to defray the expenses of the proclamation, publication, and election,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. J. R. No. 41, Proposing amend-
ments to Section 5, of Article XI, of
the Constitution of Texas, permit-
ting a city that has adopted and
amended its charter, as provided in
Section 5, of Article XI, to alter,
amend, or repeal its charter once in
every twelve (12) months; provid-
ing for its submission to the voters
of the State of Texas as required by
the Constitution, and making an ap-
propriation therefor,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 36, Granting T. W.
Tucker permission to sue the State,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 45, Granting Womack
Construction Company permission to
sue the State,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 46, Granting H. L.
Stancil permission to sue the State,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 48, Granting E. R.
Leach permission to sue the State,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, April 27, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 51, Granting Tibbetts
Construction Company permission to
sue the State,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

FIFTY-SIXTH DAY

(Saturday, April 29, 1933)

The House met at 9:30 o'clock a. m.,
pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the follow-
ing Members were present:

Mr. Speaker.	Davidson.
Adamson.	Dean.
Aikin.	Devall.
Alexander.	Dunlap.
Alsup.	Dwyer.
Anderson	Fain.
of Bexar.	Few.
Anderson	Fisher.
of Johnson.	Ford.
Barrett.	Fuchs.
Beck.	Glass.
Bedford.	Golson.
Bradley.	Good.
Butler.	Goodman.
Calvert.	Graves.
Camp.	Greathouse.
Canon.	Griffith.
Cathey.	Haag.
Caven.	Hankamer.
Celaya.	Harman.
Chastain.	Harris.
Clayton.	Hartzog.
Colson.	Head.
Crossley.	Hester.
Daniel.	Hicks.